

House File 2305 - Introduced

HOUSE FILE 2305

BY BERRY

A BILL FOR

1 An Act relating to the sale of certain unused right-of-way
2 property.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 306.23, Code 2016, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 4. This section does not apply to the sale
4 of property identified in subsection 1 if the property has been
5 subdivided or if more than five years have elapsed since the
6 property was acquired by the agency.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

10 Under current law, when a tract, parcel, or piece of land,
11 or part thereof, that is unused right-of-way is offered for
12 sale by a governmental body that exercises jurisdiction over
13 the road, Code section 306.23 establishes a preference for
14 purchasers who were the owner of the property at the time
15 it was originally purchased or condemned, and for purchasers
16 who are present owners of adjacent land from which the
17 tract, parcel, piece of land, or part thereof, was originally
18 purchased or condemned for highway purposes.

19 This bill specifies that the statutory preference for
20 those purchasers does not apply to the sale of such unused
21 right-of-way property if the property has been subdivided or
22 if more than five years have elapsed since the property was
23 acquired by the agency.